

North York Moors National Park Authority

District/Borough: Scarborough Borough Council
(North)
Parish: Hawsker-Cum-Stainsacre

Application No. NYM/2019/0383/FL

Proposal: removal of condition 9 of planning approval NYM4/033/0179C/PA to sever the tie between the 2 no. holiday cottages and The Old Blacksmiths Arms

**Location: The Old Blacksmiths Arms
High Hawsker**

**Decision Date: 29 August 2019
Extended to:**

Consultations

Parish – No objections

Highways – No objections

Site Notice Expiry Date – 5 August 2019

Director of Planning's Recommendation

Approval subject to the following condition(s):

1. All new window frames, glazing bars and external door frames shall be of timber construction, stained dark brown and thereafter be so maintained.
2. The external face of the frame to all new windows shall be set in a reveal of a minimum of 6cm from the front face of the adjacent walling and thereafter be so maintained.
3. The guttering to the development hereby permitted shall be directly fixed to the stonework by means of gutter spikes with no fascia boarding being utilised in the development and shall thereafter be so maintained.
4. The rainwater goods utilised in the development hereby permitted shall be coloured black and shall thereafter be so maintained.
5. Use as Holiday Accommodation Only - Inside Villages
The dwelling unit hereby approved shall not be used for residential purposes other than holiday letting purposes. For the purpose of this condition 'holiday letting' means letting to the same person, group of persons or family for period(s) not exceeding a total of 28 days in any one calendar year.
6. Withdrawal of all PD Parts 1 & 2 and 14 Classes A to I
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), no development within Schedule 2, Part 1, Classes A to H Schedule 2, Part 2, Classes A to C and within Schedule 2 Part 14 Classes A to I of that Order shall take place without a further grant of planning permission being obtained from the Local Planning Authority.

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7. Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown edged in red on the site plan received on 30/07/2019 for parking spaces, shall be kept available for their intended purposes at all times and made available for the two holiday cottages to which this permission relates.

Reason(s) for Condition(s)

1. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
2. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
3. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
4. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
5. The site is in a position where the permanent occupation of the accommodation hereby permitted as a separate independent dwelling unit would be likely to be detrimental to the residential amenities of existing and future occupiers of the holiday accommodation and main dwelling.
6. In order to enable the Local Planning Authority to retain control over future alterations to the property in the interests of safeguarding the existing form and character of the building in line with NYM Development Policy 3 and NYM Core Policy A, which seek to enhance and conserve the special qualities of the NYM National Park and secure high quality design for new development.
7. In accordance with NYM Development Policy 23 and to ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.

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**Background**

The Old Blacksmiths Arms is a much altered one and a half storey property located in the centre of the village of High Hawsker.

Planning permission was granted in 2002 to convert the attached stone and pantile outbuildings fronting onto the road, into two small single bed holiday letting cottages. The cottages don't have any external amenity space.

Condition 9 of that approval tied the ownership of the cottages to the adjacent dwelling. This applicant seeks permission to remove that condition to enable the two holiday cottages to be sold independently.

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In support of the application, the applicant's agent states that the owner of the property's no longer lives at The Old Blacksmiths and this is rented under an assured shorthold tenancy agreement. The property has been on the market for sale since 2018 but failed to sell and has been advised that it will be difficult to sell the whole property as one, due to the limited size of the market.

It is proposed that rights will be granted over the retained land (outlined in blue) for visitors to the properties to park their vehicles in the designated parking spaces and for pedestrian and vehicular access to the properties from the road.

Main Issues

The application site is located within a settlement and no alterations are proposed to the building.

Therefore the primary considerations in this instance would be any likely impact on residential amenity, and satisfactory vehicular access and parking. Consequently, Core Policy A of the Local Development Plan is the most relevant policy for this proposal to be considered against. This seeks to ensure that new development conserves and enhances the Park's special qualities; with priority being given to ensuring development does not detract from the quality of life of local residents and supports the character of a settlement.

The existing arrangement comprises the host dwelling which has garden to the rear and the two one bed holiday cottages. All share the same access from the highway, and all have parking spaces provided.

The parking spaces allocated for the holiday cottages are before the main dwelling and would not interfere with access to that property or have a detrimental impact on its outlook. Furthermore the proposal is unlikely to generate any different activity levels or traffic generation than the existing use.

In view of the above, providing the 2 spaces remain available the proposal is unlikely to have a detrimental impact on residential amenity or highway safety.

Consequently, approval is recommended.

Pre-commencement Conditions

N/A

Explanation of how the Authority has Worked Positively with the Applicant/Agent**Approval (No Amendments Required)**

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and confirmed to the applicant/agent that the development is likely to improve the economic, social and environmental conditions of the area.